

## MEMORANDUM

COSHAC  
Agenda Item No. 2 (C)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

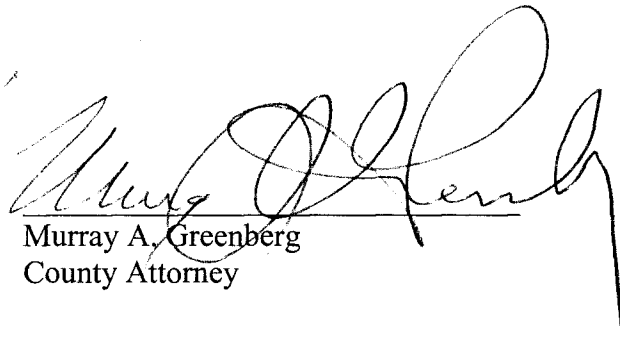
**DATE:** August 17, 2005

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Campaign Finance Reform

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The attached Table entitled "Campaign Finance Reform" was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa.



Murray A. Greenberg  
County Attorney

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# CAMPAIGN FINANCE REFORM

	PROPOSED CHANGES TO ELECTION CAMPAIGN FINANCING TRUST FUND	COMMENTS
1.	Amend section 12-22(c) (Eligibility Requirements) to provide that candidates must sign a declaration of intent to seek public financing no later than 90 days after opening a campaign account, or 30 days before first day of qualifying, whichever shall come first.	
2.	Amend section 12-22(c) to provide that deadline for applying for public financing shall be 10 business days prior to the start of qualifying.	
3.	Amend section 12-22(c) to provide that applications for public financing must be signed by both the candidate and campaign treasurer under oath.	
4.	Amend section 12-22(c) to provide that applications for public financing must also be submitted on diskettes or CD-ROMs utilizing form prescribed by the Department of Elections.	
5.	Amend section 12-22(c) to provide that candidates submit all documentation supporting eligible contributions at the time of application.	

	PROPOSED CHANGES TO ELECTION CAMPAIGN FINANCING TRUST FUND	COMMENTS
6.	Amend section 12-22(c)(5) to provide that the maximum number of qualifying contributions that a candidate may submit with application is 20% above the required number of contributions (e.g., 240 for commission seat).	
7.	Amend section 12-22(c)(5) to eliminate money orders as a permissible matching contribution.	
8.	Amend section 12-22(c) to clarify that contributions in the form of a personal check must be drawn on personal bank account.	
9.	Amend section 12-22(c) to provide that candidates and campaign treasurers must take course administered by the Ethics Commission regarding applicable county and state laws.	
10.	Amend section 12-22(c) to provide that contributors must sign a contributor's statement that contains, among other things, the full name, date of birth and voter registration number of contributor.	
11.	Amend section 12-22(c) to establish a signature requirement for contributions made via credit cards/electronic fund transfers, as well as the full name of the contributor.	

	PROPOSED CHANGES TO ELECTION CAMPAIGN FINANCING TRUST FUND	COMMENTS
12.	Amend section 12-22(f) (Distribution of Funds) to require Inspector General to perform an independent review to determine eligibility of individual applicants to receive Trust funds.	
13.	Amend section 12-22(f) to require candidates to establish a sub-account, with separate checks, in primary campaign account for all Trust fund contributions. All expenditures from the sub-account shall be subject to the expenditure requirements.	
14.	Amend section 12-22(f) to require that candidates provide detailed supporting documentation for expenditures including, but not limited to, contracts for consulting services, a breakdown of dates and hours of work provided by campaign staff and copies of 1099s.	
15.	Strike section 12-22(j) (Expenditure Ceiling Lifted) so that candidates who accept Trust fund contributions must comply with expenditure limits regardless of whether the cap is broken by other candidates.	
16.	Amend section 12-22(k) to establish a cause of action to freeze and recoup funds that have been improperly distributed to a candidate.	

	<b>PROPOSED CHANGES TO ELECTION CAMPAIGN FINANCING TRUST FUND</b>	<b>COMMENTS</b>
17.	Amend section 12-22 to provide for a moratorium on further distributions from the Trust Fund until voters have been given an opportunity to consider straw ballot question asking voters whether they support ordinance creating Election Campaign Financing Trust Fund.	
	<b>OTHER PROPOSED CAMPAIGN FINANCE REFORMS</b>	<b>COMMENTS</b>
1.	Repeal section 12-5 of the Code which prohibits campaign contributions from corporations, national and state banks and unincorporated associations to candidates running for County offices	
2.	Repeal section 2-11.1.3 of the Code which limits campaign contributions to candidates running for Mayor, County Commission and Community Council to \$250	